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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,567	06/15/2001	Michael S. Lopke	10004379-1	9877

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WILSON, YOLANDA L

ART UNIT	PAPER NUMBER
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2113

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary	Application No.	Applicant(s)	
	09/882,567	LOPKE, MICHAEL S.	
	Examiner	Art Unit	
	Yolanda Wilson	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10-15 and 17-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,2,4-7,10-15,17-19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. in view of Gronemeyer et al. (US Publication Number 20020184118A1). As appears in claim 1, Morgan et al. discloses a network addressable device on page 5, paragraph 0043, "The exemplary user interface component 30 may be implemented as an HTML page and comprises a title indicia 100 indicating that the user is interfacing with the network diagnostics tool." Morgan et al. discloses a computer-based system in Figure1, the computer-based system including a system registry on page 2, paragraph 0014, "This may be achieved, for example by querying a data store, such as a computer system registry, and/or by verifying a connection."

Morgan et al. discloses wherein the inspector compiles examination data for the computer-based system on page 5, paragraph 0047, "The diagnostic component 28 thereafter gathers information and/or performs one or more diagnostic tests, and renders the attribute information to the user in the interface."

Morgan et al. fails to explicitly state the examination data is displayed by the computer-based system for user approval prior to connecting with the network addressable device.

Gronemeyer et al. discloses on page 2, paragraph 0020, "A final web page may be displayed of client identified configuration data and allow for entering (e.g., by a user) of additional relevant facts or context surrounding the problem."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the examination data displayed by the computer-based system for user approval. A person of ordinary skill in the art would have been motivated to have the examination data is displayed by the computer-based system for user approval because the user can add additional information concerning a problem to help in solving the problem.

3. As per claim 2, Morgan et al. discloses wherein the inspector is linked with the browser on page 5, paragraph 0043, "The exemplary user interface component 30 may be implemented as an HTML page and comprises a title indicia 100 indicating that the user is interfacing with the network diagnostics tool." It is inherent for the browser to be linked to the network addressable device because you need the browser to see the network addressable device.

4. As per claim 4, Morgan et al. discloses a support resources component and wherein the inspector is linked with the support resources component on page 5, paragraph 0047, "The user may report the results to a technical support person..."

5. As per claim 5, Morgan et al. discloses wherein the inspector obtains configuration data associated with the computer-based system on page 2, paragraph 0014, "The determination... This may be achieved, for example, by querying a data store, such as a computer system registry, and/or by verifying a connection."
6. As per claim 6, Morgan et al. discloses wherein the inspector obtains diagnostic data associated with the computer-based system on page 4, paragraph 0036, "In order to determine the attributes of the computer 4, the diagnostic component 28 may query a data store, such as the registry 20, and/or one or more files (not shown) in the local host computer."
7. As per claim 7, Morgan et al. discloses wherein the inspector includes a repository and wherein the inspector stores diagnostic data in the repository on page 11, paragraph 0073, "The diagnostics tool may further provide for saving such attribute information files into a safe or protected portion of the system memory."
8. As per claims 10 and 18, Morgan et al. fails to explicitly state only the examination data approved by the user is sent from the computer-based system to the network addressable device.

Gronemeyer et al. discloses on page 2, paragraph 0020, "A final web page may be displayed of client identified configuration data and allow for entering (e.g., by a user) of additional relevant facts or context surrounding the problem."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have only the examination data approved by the user is sent from the computer-based system to the network addressable device. A person of

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ordinary skill in the art would have been motivated to have the only examination data approved by the user is sent from the computer-based system to the network addressable device because the user can determine if any new information needs to be added.

9. As per claim 11, Morgan et al. discloses engaging an inspector linked with a computer-based system, generating examination data associated with the computer-based system via the inspector, sending the examination data to the network addressable device on page 5, paragraph 0047-0048, "The diagnostic component 28... The user may report the results to a technical support person... attribute information."

Morgan et al. fails to explicitly state the examination data is displayed by the computer-based system for user approval prior to connecting with a network addressable device.

Gronemeyer et al. discloses on page 2, paragraph 0020, "A final web page may be displayed of client identified configuration data and allow for entering (e.g., by a user) of additional relevant facts or context surrounding the problem."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the examination data displayed by the computer-based system for user approval. A person of ordinary skill in the art would have been motivated to have the examination data is displayed by the computer-based system for user approval because the user can add additional information concerning a problem to help in solving the problem.

10. As per claim 12, Morgan et al. discloses the step of installing the inspector within the computer-based system on page 12, paragraph 0084, "A number of program modules may be stored in the drives and RAM 625, including an operating 635, one or more application programs 636, other program modules 637, and program data 638." It is inherent for a software component, such as an inspector, to be installed on a computer.

11. As per claim 13, Morgan et al. discloses the step of generating examination data for the computer-based system includes the step of obtaining configuration data associated with the computer-based system on page 2, paragraph 0014, "The determination... This may be achieved, for example, by querying a data store, such as a computer system registry, and/or by verifying a connection."

12. As per claim 14, Morgan et al. discloses the step of obtaining configuration data includes the step of accessing a system registry provided by the computer-based system via the inspector on page 2, paragraph 0014, "The determination... This may be achieved, for example, by querying a data store, such as a computer system registry, and/or by verifying a connection."

13. As per claim 15, Morgan et al. discloses the step of generating examination data for the computer-based system, further includes the step of obtaining diagnostic data associated with the computer-based system on page 4, paragraph 0036, "In order to determine the attributes of the computer 4, the diagnostic component 28 may query a data store, such as the registry 20, and/or one or more files (not shown) in the local host computer."

14. As per claim 17, Morgan et al. fails to explicitly state editing the examination data for user approval.

Gronemeyer et al. discloses on page 2, paragraph 0020, "A final web page may be displayed of client identified configuration data and allow for entering (e.g., by a user) of additional relevant facts or context surrounding the problem."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to edit the examination data for user approval. A person of ordinary skill in the art would have been motivated to edit the examination data for user approval because the user can determine if any new information needs to be added.

15. As per claim 19, Morgan et al. discloses the step of deriving a solution to the error with the network addressable device based on the examination data on page 11, paragraph 0075, "the remedial object 400 may attempt to fix the problem."

16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. in view of Naito et al. (USPN 6628417B1). Morgan et al. fails to explicitly state the inspector comprises a plugin integrated with the browser.

Naito et al. discloses in column 10, lines 18-21, "The network browsing means 502 can expand its functions by installing expansion means (plugin modules), and the expansion means (plugin) 503 is an application program appended to the network browsing means 503 in this way."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the inspector comprise a plugin integrated with the browser. A person of ordinary skill in the art would have been motivated to have the

inspector comprise a plugin integrated with the browser because the browser can have access to the inspector.

17. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. in view of Miller (WO 0068793). Morgan et al. fails to explicitly state storing the solution to the error within a repository provided by the inspector.

Miller discloses in the abstract, "In the system described herein, a database contains entries with executable code that can make use of these services in order to monitor, diagnose and solve specific problems. Each entry in the database addresses a specific problem. The executable code is designed to isolate and recognize the problem and then implement a fix or workaround for that problem."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the solution to the error within a repository provided by the inspector. A person of ordinary skill in the art would have been motivated to store the solution to the error within a repository provided by the inspector because the solution to the error needs to be known in case the error occurs again.

Response to Arguments

18. Applicant's arguments with respect to claims 1-7,10-15,17-20 have been considered but are moot in view of the new ground(s) of rejection. On page 7 of the amendment, Applicant argues "the Examiner does not point to any teaching or suggestion in the prior art to add the approval of examination data required by Applicant's claims to the Morgan system, but merely asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine

Gronemeyer with Morgan...It seems that providing a user the opportunity to review the internal solution already derived by Morgan's automatic internal system is superfluous to Morgan's device. It is not clear, in any event, to Applicant what the Examiner is suggesting is the motivation here."

19. Examiner points to Morgan page 4, paragraph 0038, which describes sending a file to a support person concerning a problem with a computer. Combining Morgan with Gronemeyer will allow reasoning for adding additional information to a file or webpage, in the case of Gronemeyer, so that a technical support person can have all the information needed to help correct the problem.

Conclusion


20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda Wilson whose telephone number is (703) 305-3298. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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